

**PIKE COUNTY PROJECT DEVELOPMENT BOARD**

**MEETING MINUTES**

**Pike County Courthouse  
Pikeville, Kentucky**

**May 1, 2008 at 5:00 p.m.**

**CHAIR: Judge/Executive Wayne T. Rutherford**

**MEMBERS OF THE BOARD PRESENT:**

**Magistrate Jeff Anderson  
Director AOC/City Manager Donovan Blackburn  
Circuit Judge Eddy Coleman  
AOC Project Manager Jeff Lilly  
Citizen at Large Hon. Charles E. Lowe, Jr.**

**OTHERS PRESENT:**

**\*Jeanette Anderson  
Bobby Branham, Executive Assistant to Judge/Executive  
\*Kent Carter  
\*Jeanne Clark  
Sheldon Compton, Executive Assistant to Judge/Executive  
\*Peggy Davis, Artisans Center  
Rose Farley, Recorder  
\*Joe Justice  
\*Michael Lucas  
\*Tinker Page  
\*Stephanie Richards, Artisans Center  
Jeanne Robinson, Executive Assistant to Judge/Executive  
Steve Sherman, Architect  
\*David Stratton**

**MEMBERS OF THE BOARD ABSENT:**

**Circuit Court Clerk David Deskins  
District Judge Darrell Mullins  
State Bar Assn. Representative Neal Smith**

**\* Those names with the asterisk are speakers from the public who attended.**

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Judge/Executive Wayne T. Rutherford, Chair of the Pike County Project Development Board, called to order a regularly scheduled meeting of the Board on May 1, 2008, at 5:00 p.m., in the Pike County Fiscal Courtroom, Pike County Courthouse, 146 Main Street, Pikeville, Kentucky.

**Upon motion by Judge Eddy Coleman and second by Donovan Blackburn, the Board unanimously APPROVES the meeting minutes for March 6 and April 3, 2008.**

Judge Rutherford and Jeff Lilly, AOC Project Manager, introduced Keith Brock of Ross, Sinclaire & Associates, who came to explain the bond sale. He said the sale had been successful with the lowest interest rate of 2.73% seen in months available. Judge Rutherford stated that was the lowest interest rate offered since he had been here.

Judge Rutherford reminded the Board that Melanie Horton had asked for the Bar Association's input on the design for the new building and Mr. Lilly had asked her to wait until the architect was chosen. David Stratton announced Ms. Horton could not be present today and had asked him to represent the Bar Association. He said the Bar Association did want a meeting or work session with the Board to walk through the design. Judge Rutherford said the general public has also asked for input on the design.

Steve Sherman, architect, stated his firm has been reviewing the plan to determine size and spaces. He said some alterations made reduced the building by about 5,000 feet from the original plan. He confirmed that AOC has now signed off on the program so the design process may be started. The meetings requested above could possibly be held in the next thirty days after his firm's review. He said the process would probably take two to three months before the designs would be available with the final drawings and documents probably about six months away. He said the bids and actual process would need about nine months.

Judge Rutherford asked about the facade of the building and Mr. Sherman said multiple options would be presented with three or four different designs. Mr. Stratton asked if there should be disagreement with AOC over the needs of the new center, would it be possible to go back to get AOC to sign off. Mr. Lilly said it would be rare for everyone to agree on every building and declared there is never a time when AOC will just slam the door; that public input is desired. Mr. Sherman cautioned that although the in-house documents were given out last time, these drawings will have changes.

Martha Ridenour asked the Board if it had obtained cost comparisons. Judge Eddy Coleman responded there had never been any discussion about the bank when the project was authorized. He emphasized it was totally untrue that BB & T officials said they would sell; he said it was a misstatement in the local paper. Judge Rutherford said there were several misstatements in the paper about this project but the Board had sat for months with very little public response and only two meetings attended by a reporter.

Jeannette Anderson stated the people respected the Board enough to think it would do the right thing. She said the people with whom she has spoken do not like the location chosen. Mr. Sherman answered that hopefully as the project moves forward, it will make more sense to the public. He said on some sites, the building could not be physically fitted on them; on others, access to the building was not what it should be. He said the site chosen could fit all the needs and accommodate the construction. He said his firm wants this building to "look like it fits" Pikeville and the older buildings. He listed acquisition, slope, cost of land, and allocation amount as important factors to be considered. With his point system, this chosen site held the highest score.

Jeanne Clark asked about expansion and how the selected property could be enlarged, if necessary. Mr. Sherman answered the front door would be on Main Street with parking in back. He said most three-story buildings will expand horizontally as opposed to vertically. He pointed out the Circuit Clerk's space has not been changed. There will be two courtrooms and there is need for a larger one.

Joe Justice brought up discussion of a recent newspaper article in *The Lexington Herald Leader* concerning Justice Will T. Scott which intimated he had something to do with the site choice and location and would receive much money from this. He asked the Board to publicly make a statement explaining that Justice Scott had nothing to do with this. Mr. Sherman strongly avowed he did not know the man, had never met the man, nor had he ever spoken with him. He said he simply wanted thirty more feet of space and Justice Scott had absolutely nothing to do with it. Judge Rutherford stated he is Chairman of the Board and has never once spoken with Justice Scott.

Donovan Blackburn told the Board he had spent time explaining to the reporter on the newspaper how the site was chosen and he had spoken to the City Commissioners (with one now present in the audience) and, after the newspaper came out with the advertisement for proposals, the document dated July 16, 2007, lists every piece of property which was submitted and Justice Scott's property was not part of that document. He pointed out it only became part of the site selection consideration when the exploratory walk occurred and the architect stated a zig zag would have to be made if that one building was not taken. He noted the documents are here at the meeting for anyone to see. He said on June 27, 2007, the story lists four pieces of property on Main and Pike Streets with a map included and all sites depicted. Justice Scott's property is not included in that listing. He stressed, "This Board has had nothing but the best interest of the people at heart...I just want it cleared up so there is no misconception."

Judge Coleman confirmed the Board did not set any prices on the property. AOC regulations require that the prices be set by a certified appraiser and the Board has nothing to do with them. He said the Board was told to offer the property owners what the appraisal prices were. He reported the Pike County Fiscal Court had been asked for condemnation proceedings and had approved the condemnations. He declared the newspaper has had no contact with the Board of any of its members.

Ms. Clark asked if the property owners had been cooperative and wanted to know if the properties could actually be purchased for the project. Mr. Lilly stated the Board is still in negotiating stage on two properties. He is obtaining estimates and said two of the property owners want to have their own appraisals done. Judge Rutherford stated the County Attorney's office is doing title searches and when they are completed, they will proceed with condemnation. He asked if the Board had hired anyone to do the research and stated that Mac Thompson had been recommended. **Upon motion by Judge/Executive Wayne T. Rutherford and second by Judge Eddy Coleman, the Board unanimously AUTHORIZES the hiring of Mac Thompson for research on the properties under consideration for the site for the location of the new Pike County Judicial Center.**

Kent Carter, former judge, firmly declared the new center is desperately needed. He said Pikeville has a good location for the Judicial Center and he does not feel another building in the Riverfill is needed. He acknowledged there are indeed historic buildings but they are run down and vacant with most shops being closed and reminded everyone

there are many, many vacant buildings in the town. He continued, "This Board and the Fiscal Court have taken a strong stand. The Bar [Association] is for this." Judge Rutherford pointed out that AOC had informed the Board at its first meeting that the building must be situated in the downtown area.

Stephanie Richards of the Artisans Center and as a Pike County Extension Agent urged preservation of the downtown area. She stated she wanted to be in on the design for the building, especially the design inside the building. She urged that Pike County artists be permitted a "presence" in the design. She also stated the University of Kentucky Medical Center has undertaken the arts' healing of ill people and she asked if people would support this. Judge Rutherford replied he was certain that the architect would be willing to make the Artisans Center part of the process. Mr. Blackburn stated this Board does indeed want the input but also wants to help the community. Judge Rutherford asked the Board to confirm with regard to arts that the people's wish would be heard and Mr. Lilly agreed that the Board and AOC want to listen to everyone.

Ms. Ridenour stated one building which will be taken is the oldest building in Pikeville and asked again for the bank building to be considered. Mr. Lilly replied he was not sure what was said in the newspaper interview but some things were twisted. He said it would cost too much to purchase and tear down a newer steel and brick building like the BB & T building. Mr. Sherman stated the bank building is designed for office use only; it is not designed for courtrooms and only half the space could be used for the intent of the new Judicial Center's needs.

Peggy Davis asked why no women were on the Board and Mr. Lilly stated the AOC criteria determined how the Board is chosen with particular local officials and representatives appointed by the Supreme Court Chief Justice. Judge Rutherford stated he has Rhonda James, Finance Commissioner of the Fiscal Court, working with the group.

Tinker Page asked if the building could be downsized. She stated if this were possible, the old buildings might be preserved and, if not, could the old buildings be moved to save them. Mr. Blackburn said this has been discussed and the City Attorney is working with the AOC attorney to research this. He said the cost might be prohibitive because of plumbing and other conditions having to be reworked. He said they hoped to save the old Bell South Building and he has spoken to Garlan Vanhook about this. He referred to Gene Davis, City Commissioner, present in the audience who also wants to keep the building.

Ms. Ridenour plead the cause of the sun-dried bricks from which the oldest building was constructed. She asked if they might be used somewhere in the new center. She expressed her concern about the cost of moving the building but she hoped the building housing the Artisans Center could be saved. Mr. Blackburn stated he wanted it in the record that this project is in partnership with the City, and the City Commission has asked for a resolution of support for the Judicial Center from the City and the Fiscal Court for the project and the site location.

With no further business before the Board, Judge Rutherford ADJOURNED the meeting.

Respectfully submitted,